

**TIPPECANOE COUNTY BOARD OF COMMISSIONERS  
REGULAR MEETING  
SEPTEMBER 16, 2002**

The Tippecanoe County Commissioners met on Monday, September 16, 2002 at 5:00 P.M. in the Tippecanoe Room in the County Office Building. Commissioners present were: President John L. Knochel, Vice President KD Benson, and Member Ruth E. Shedd; Auditor Robert A. Plantenga, Commissioners' Assistant Jennifer Weston, County Attorney David W. Luhman, and Secretary Pauline E. Rohr.

President Knochel called the meeting to order and led the Pledge of Allegiance.

**APPROVAL OF MINUTES**

Commissioner Benson moved to approve the minutes of the September 4, 2002 Regular Meeting, the September 6, 2002 Special Meeting, and the September 10, 2002 Special Joint Meeting with the County Council as distributed, seconded by Commissioner Shedd; motion carried.

**APPROVAL OF CLAIMS**

- Upon the recommendation of Commissioners' Assistant Weston, Commissioner Shedd moved to approve the Claims for the periods ending September 6, 2002, September 13, 2002, and September 16, 2002 as submitted, seconded by Commissioner Benson; motion carried.

**HIGHWAY: Executive Director Mark Albers**

**DUMP TRUCK BIDS: Opened September 4, 2002**

Mr. Albers asked the Commissioners to table awarding the Dump Truck Bid to give him time to reevaluate the bids.

**AGREEMENTS: Bridge Inspection Project: INDOT & H. Stewart Kline & Associates, Inc.**

These two agreements involve bridge inspections for Project No. BR-NBIS (492) that is a federally mandated program. The Agreement with Consultant H. Stewart Kline & Associates, Inc. is for two inspections of the County's 179 bridges plus documentation for an amount not to exceed \$104,860. The first inspection will be conducted in 2002 and the second will be conducted in 2004. Because federal funds are involved, the second Agreement is with INDOT (Indiana Department of Transportation) as overseer to be sure the project is done per Federal Highway rules and regulations.

- Commissioner Benson moved to approve the Agreements for bridge inspections between the County and INDOT and the County and H. Stewart Kline & Associates, Inc., seconded by Commissioner Shedd; motion carried.

**STREET ACCEPTANCE: Lindberg Village SD; Ph I**

**SUBDIVISION STREET MAINTENANCE BOND: #5855809: A & K Construction, Inc.**

Mr. Albers recommended acceptance of the following concrete surface streets located in Lindberg Village SD, Ph 1:

Cousteau Drive	1,441.18'	Concrete
Wright Court	865.09'	Concrete
Sabin Street	140.00'	Concrete
Huxley Drive	140.00'	Concrete

- Commissioner Benson moved to accept the Streets in Lindberg Village SD, Ph 1 as presented into the County Highway System and three (3) year SD Street Maintenance Bond #5855809 in the amount of

\$33,066.00 for A & K Construction, Inc., seconded by Commissioner Shedd; motion carried.

**STREET ACCEPTANCE: Lindberg Village SD; Ph 2**

**3 YEAR SUBDIVISION STREET MAINTENANCE BOND: #5855810: \$31,038.00, A & K Construction, Inc.**

Mr. Albers recommended acceptance of the following concrete surface streets located in Lindberg Village SD, Ph 2:

Hopkins Drive	1,768.47'	Concrete
Hopkins Court	500.00'	Concrete
Edison Drive	600.80'	Concrete
Mendel Drive	492.02'	Concrete

**STREET ACCEPTANCE: Lindberg Village SD; Ph 3**

**3 YEAR SUBDIVISION STREET MAINTENANCE BOND: #3443296: \$10,836.00, Fairfield Contractors, Inc.**

Mr. Albers recommended acceptance of the following concrete surface streets located in Lindberg Village SD, Ph 3:

Edison Drive	1,128.61'	Concrete
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**STREET ACCEPTANCE: Lexington Farms PD, Sec. 2**

**3 YEAR SUBDIVISION STREET MAINTENANCE BOND: #5855811: \$24,725.00, A & K Construction, Inc.**

Mr. Albers recommended acceptance of the following concrete surface streets located in Lexington Farms PD, Sec. 2:

North Bluegrass Circle	819.98'	Concrete
Bingham Drive	595.00'	Concrete
Dunston Drive	595.00'	Concrete
Bluegrass Drive	295.00'	Concrete

**STREET ACCEPTANCE: Hadley Moors SD, Pt 5, Ph 1**

**3 YEAR SUBDIVISION STREET MAINTENANCE BOND: #3443292: \$8,365.00, Fairfield Contractors, Inc.**

Mr. Albers recommended acceptance of the following concrete surface streets located in Hadley Moors SD, Pt 5, Ph 1:

North Shining Armor Lane	358.55'	Concrete
Crossbow Court	379.97'	Concrete

- Commissioner Benson moved to accept into the County Highway System the streets located in Lindberg Village SD, Ph2 and the three (3) year SD Street Maintenance Bond, the street located in Lindberg Village, Ph 3 and the three (3) year SD Street Maintenance Bond, the streets located in Lexington Farms PD, Sec. 2 and the three (3) year SD Street Maintenance Bond, and the streets located in Hadley Moors SD, Pt 5, Ph 1 and the three (3) SD Street Maintenance Bond, seconded by Commissioner Shedd; motion carried.

### **GRANTS OF RIGHT OF WAY: By Parcelization**

Mr. Albers presented the following Grants of Right-of-Way by parcelization for acceptance:

- |   |   |
|---|---|
| Key #124-02800-0063:                        | 30' R/W south of the approximate center line of CR 750 N; A part of the NE ¼ of the SE ¼ of Sec 13, Twp 24 N, R 5 W in Tippecanoe Twp. from Patrick A. & Elaine M. McFadden.  |
| Key #120-00300-0128<br>Key #120-05800-0073: | 30' R/W NE of approximate centerline of Hoover Rd; A part of the NE ¼ of Sec 6, Twp 23 N, R 5 W in Shelby Twp. from Kenneth C. Summers, Trustee of the Kenneth C. & Joyce M. Summers Caring Trust.                  |
| Key #116-00500-0100<br>Key #116-00800-0108: | 30' R/W N of approximate center line of CR 1050 S<br>30' R/W W of approximate center line of CR 100 E; part of the NE ¼ of Sec 17, Twp 21 N, R 4 W in Randolph Twp from Kerkhoff Ranch, Inc. by Gary D. Kerkhoff.   |
| Key #118-02600-0125:                        | 30' R/W W of center line of Newcastle Rd; a part of the SW ¼ of Sec 27 & a part of the SE ¼ of Sec 28, all in Twp 23 N, R 3 W in Sheffield Twp. from Double D Investments, LLC, Steven & Jerry L. Downham, Members. |
| Key #120-05600-0163:                        | 30' R/W E of center line of CR 800 W; part of the E ½ of the SE ¼ of Sec 35, Twp 24 N, R 6 W in Shelby Twp. from Walter E. & Pamela J. Hayworth.  |
| Key #110-04000-0048:                        | 30' R/W S of center line of CR 950 S; a part of the W ½ of the E ½ of the SW ¼ of Sec 10, Twp 21 N, R 5 W in Lauramie Twp. from Kathryn A. Wilcox.  |
| Key #112-02200-0321:                        | 40' R/W W of center line on CR 900 E<br>30' R/W S of center line on CR 100 N; a part of the NE ¼ of the NE ¼ of Sec 22, Twp 23 N, R 3 W in Perry Twp. from Linda R. Smith.  |

- Commissioner Benson moved to approve the Grants of Right-of-Way by parcelization as presented, seconded by Commissioner Shedd; motion carried.

### **CONTINUATION CERTIFICATE: James H. Drew Corp.**

- Commissioner Benson moved to accept one (1) year Continuation Certificate attached to Bond #400SD4124 in the amount of \$10,000.00 for James H. Drew Corp., seconded by Commissioner Shedd; motion carried.

### **CERTIFICATES OF INSURANCE**

- National Indemnity Company for Ron Ross d/b/a Anderson House Movers
- General Casualty Insurance Co for Winstead Enterprises Inc
- Auto Owners Insurance Co for DML Enterprises Inc.
- Safeco Business Insurance, Fireman's Fund Insurance for Poindexter Excavating, Inc.

- ♦ Monroe Guaranty for B & D Enterprises, Inc.

***AGREEMENT: Election Tabulation Computer System: Diebold Election Systems, Inc.: Board of Election & Registration Registrars Linda Phillips & Nora Jarmon***

Mrs. Phillips noted a correction to this Agreement for the purchase of the election equipment. In Exhibit G on page 16, a period should be placed in the last line of 7.3 after agreement and the rest of the sentence struck out.

- Commissioner Benson moved to accept the Agreement between the County and Diebold Election Systems, Inc. as corrected, seconded by Commissioner Shedd; motion carried.

Mrs. Phillips announced a public test of the election equipment will be held at 1:00 P.M., Tuesday October 29, 2002 in the Home Economics Building at the Fairgrounds.

***CONTRACT: Craig Baker, Consultant: MITS Executive Director Diane Hawkins***

Mrs. Hawkins requested approval of a contract with Craig Baker, an independent consultant, for an assessment of our current IT network and security issues to prepare for the connection of the Sheriff's Department to the downtown County Office Network. This connection will enable the Sheriff's Department to process claims and payroll on the new HTE Software in 2003 and provide the Sheriff's Department with Internet access. The estimated cost of \$31,200 plus \$40 per hour travel expense will be paid with HTE Project funds.

- Commissioner Benson moved to approve the contract between Tippecanoe County and Craig Baker for consulting services to study the infrastructure connection with the Sheriff's Department, seconded by Commissioner Shedd; motion carried.

***ORDINANCE 2002-37-CM: Amends Ord. 95-32-CM Establishing Monthly Fees for Access to County Computers: 1<sup>st</sup> Reading: MITS Executive Director Diane Hawkins***

Attorney Luhman summarized the Ordinance.

(quote)

**ORDINANCE NO. 2002-37-CM**  
**AMENDING ORDINANCE NO. 95-32-CM**  
**ESTABLISHING MONTHLY FEES FOR**  
**ACCESS TO COUNTY COMPUTERS**  
**BY REALTORS, ABSTRACTERS AND ATTORNEYS**

**WHEREAS**, the Board of Commissioners of the County of Tippecanoe, pursuant to Ordinance No. 95-32-CM established a fee of \$25.00 per month for access to County computers by Realtors, Abstracters and Attorneys and further provided for the deposit of \$12.00 of each such \$25.00 fee into the County's Enhanced Access Fund for Online Services with the remaining \$13.00 being deposited to the Tippecanoe County General Fund;

**WHEREAS**, the Tippecanoe County Management Information Technology Services Department has developed a program allowing Internet access to property tax and assessment information as an alternative to existing dial-up service; and

**WHEREAS**, the Tippecanoe County Management Information Technology Services Management Board desires to establish a monthly fee of \$10.00 per month per password for Internet access as an alternative to the current \$25.00 per month charge for dial-up service, with fifty percent (50%) of the Internet access charge being deposited in the Enhanced Access for Online Services Fund and the remaining fifty percent (50%) being deposited into the Tippecanoe County General Fund.

**NOW, THEREFORE, BE IT ORDAINED** that Ordinance No. 95-32-CM be and it is hereby amended to provide that a fee of \$10.00 per month per password for Internet access and \$25.00 per month per password for dial-up access shall be paid to the Tippecanoe County Auditor by each Realtor, Abstracter, Attorney, or other person accessing the Tippecanoe County Computer System. Such fees shall not be charged to those persons whose only access to the County Computer System is by use of the terminals available for use by the public.

**BE IT FURTHER ORDAINED** that \$5.00 of each \$10.00 monthly fee received for Internet access to the County computers shall be deposited in the Enhanced Access Fund for Online Services and \$5.00 thereof shall be deposited in the Tippecanoe County General Fund.

**BE IT FURTHER ORDAINED** that in all other respects, Ordinance No. 95-32-CM shall remain in full force and effect.

**PASSED AND ADOPTED** this 16<sup>th</sup> day of September, 2002, on first reading, by the following vote:

VOTE

BOARD OF COMMISSIONERS OF  
TIPPECANOE COUNTY

\_\_\_\_\_  
John Knochel, President

\_\_\_\_\_  
KD Benson, Vice President

\_\_\_\_\_  
Ruth Shedd, Member

ATTEST:

\_\_\_\_\_  
Robert Plantenga, Auditor of  
Tippecanoe County

**PASSED AND ADOPTED** on the \_\_\_\_ day of , 2002, on second reading, by the following vote:

VOTE

BOARD OF COMMISSIONERS OF  
TIPPECANOE COUNTY

\_\_\_\_\_  
John Knochel, President

\_\_\_\_\_  
KD Benson, Vice President

\_\_\_\_\_  
Ruth Shedd, Member

ATTEST:

\_\_\_\_\_  
Robert Plantenga, Auditor of  
Tippecanoe County

(unquote)

Mrs. Hawkins said we currently have sixty (60) realtors who subscribe to the County's dial-up access but she expects most of those to switch to Internet access.

- Commissioner Benson moved to approve Ordinance 2002-37-CM on first reading, seconded by Commissioner Shedd.

Auditor Plantenga recorded the vote:

John Knochel      Yes

KD Benson	Yes
Ruth Shedd	Yes

- The motion to approve Ordinance 2002-37-CM passed 3 – 0 on first reading.

***PROPOSAL: Cornerstone Designs for Architectural & Historic Preservation Services: Grant Coordinator Jessica Rebmann***

Mrs. Rebmann said she is applying for a Historic Preservation Fund Grant for the Courthouse Window Restoration Project but found the application requires more documentation and professional information. She asked the Commissioners to accept a Proposal for Architectural & Historic Preservation Services from Dann Keiser, Cornerstone Designs, for a fixed maximum fee of \$500. He will provide two (2) construction costs estimates and specific trade work to Department of Interior Standards for Historical Preservation.

- Commissioner Benson moved to accept the Proposal from Dann Keiser for Architectural & Historic Preservation Services for the Courthouse windows, seconded by Commissioner Shedd; motion carried.

***MAINTENANCE AGREEMENT: Garage Elevators: KONE, Inc.***

Attorney Luhman explained this Maintenance Agreement with KONE, Inc. is for service on the two elevators in the Parking Garage after the warranty expires at a cost of \$744 quarterly in advance.

- Commission Benson moved to approve the Maintenance Agreement with KONE, Inc. for the elevators in the Parking Garage, seconded by Commissioner Shedd; motion carried.

***AGREEMENT: Scan Net Software Support: Parking Garage: Commissioners' Assistant Jennifer Weston***

Mrs. Weston explained the Agreement with Light & Breuning, Inc. is for the Scan Net software we use to issue the access cards to the Parking Garage and monitor the garage equipment. The Agreement for a term of two (2) years at a cost of \$540 per quarter has the provision that the County can terminate with thirty (30) days notice if there is a lack of funds.

- Commissioner Benson moved to approve the two year Agreement Software Support Agreement with Light & Breuning, Inc. subject to adequate funding, seconded by Commissioner Shedd; motion carried.

***AGREEMENT: Parking Control Equipment Service: Parking Garage: Commissioners' Assistant Jennifer Weston***

Mrs. Weston said this Agreement with Light & Breuning, Inc. is for service and maintenance of equipment such as card readers, gates, and the APS Machine in the Parking Garage. The two (2) year Agreement will cost \$1,115 per month and has the provision for termination by the County with thirty (30) days notice if there is a lack of funds.

- Commissioner Benson moved to approve the two year Service and Maintenance Agreement for equipment in the garage with Light & Breuning, Inc. subject to adequate funding, seconded by Commissioner Shedd; motion carried.

***DISCUSSION: County Policies***

**Cell Phones**

Commissioner Benson explained that an employee in the Highway Department suggested a revision to the County's Cell Phone Policy to upgrade the number of minutes allowed per month from 50 to 250 due to changes in the industry. The County currently pays \$29.70 for 50 minutes compared to \$29.99 for 250 minutes. Any minutes over the maximum are paid by the employee. Since the number of users is unknown, Commissioner

Benson suggested waiting before taking any action.

### **Overtime**

During the recent Budget Hearings, discussion was held regarding the way Overtime is calculated. Our current policy says we pay overtime for over 8 hours per day. It was pointed out that over half of the Overtime paid is by the Sheriff's Department to Corrections Officers and Deputies but Sheriff Anderson said he is required to follow federal guidelines, not the County's Personnel Policy.

Auditor Plantenga noted that Comp time and Overtime are not calculated the same. Overtime is paid for over 8 hours per day but Comp time is straight time up to 40 hours per week.

Commissioner Benson suggested making no change to the Overtime Policy since only a small number of employees are affected and the amount of money is insignificant.

### **Bereavement Leave**

The Tippecanoe Employees Committee (TEC) proposed changes to the Bereavement Leave Policy adding step family relationships, reducing the number of days leave for out-of-state travel, and adding a clause to cover the death of a co-worker. Since the Commissioners weren't sure of the comparisons between the current and proposed policies, President Knochel asked TEC member Christa Coffey to return for another discussion at the October 21, 2002 Commissioners' Meeting.

### ***NEW BUSINESS***

#### **FEDERAL EQUITABLE SHARING AGREEMENT: Prosecutor**

This Agreement between the Prosecutor and the Federal Government is for a share of seized assets and monies.

- Commissioner Benson moved to approve the Federal Equitable Sharing Agreement between the Prosecutor and the Federal Government and authorize the President to sign, seconded by Commissioner Shedd; motion carried.

### ***REPORTS***

Reports from Greater Lafayette Health Services, Inc. for six (6) months, Tippecanoe Villa, and Veterans Affairs are on file in the Commissioners' Office for review.

### ***PUBLIC COMMENT***

None.

### ***ADJOURNMENT***

- Commissioner Benson moved to adjourn, seconded by Commissioner Shedd; motion carried.

#### **BOARD OF COMMISSIONERS OF THE COUNTY OF TIPPECANOE**

\_\_\_\_\_  
John L. Knochel, President

KD Benson, Vice President

\_\_\_\_\_  
Ruth E. Shedd, Member

**ATTEST:**

\_\_\_\_\_  
Robert A. Plantenga, Auditor